Smith v. The Abandoned Vessel Doc. 86

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NATHAN SMITH §
§
vs. § Civil Action No. 4:07-00784
§ **ADMIRALTY**
THE ABANDONED VESSEL, *in rem* §

Judge: David Hittner
Courtroom Clerk: E. Alexander
Court Reporter: Anita Manley + Bruce Slavin
Proceeding: Bench Trial

THIRD AMENDED EXHIBIT LIST OF INTERVENOR MORGAN DUNN O'CONNOR, EXECUTOR OF THE ESTATE OF MARIE SORENSON

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
1	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	✓		12/29/08	
2	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
3	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
4	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
5	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
6	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
7	Photograph taken by Ron Walker 10/21/08 depicting the area of the	↓		↓	

Dockets.Justia.com

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
	location of the alleged shipwreck				
8	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	✓		12/29/08	
9	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
10	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
11	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
12	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
13	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
14	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
15	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
16	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
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NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
20	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	✓		12/29/08	
21	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
22	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
23	Photograph taken by Ron Walker 10/21/08 depicting the area of the location of the alleged shipwreck	↓		↓	
24	Index of Photographs taken by Ron Walker 10/21/08	↓		↓	
25	Index of Photographs taken by Terry Carroll 8/5/08	↓		↓	
26	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	↓		↓	
27	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	↓		↓	
28	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	↓		↓	
29	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	↓		↓	
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31	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	↓		↓	
32	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	↓		↓	

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
33	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck	✓		12/29/08	
34	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
35	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
36	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
37	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
38	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
39	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
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44	Photograph taken by Terry Carroll 8/5/08 depicting the area of the location of the alleged shipwreck				
45	1991 Sorenson Aerial Photo taken				

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
	7/14/91 of property where alleged shipwreck is located	✓		12/24/08	
46	1979 Map – United States Department of the Interior Geological Survey - Mission Bay Quadrangle; Texas-Refugio Co. (2897-113)	↓		↓	
47	1985 Map – United States Department of the Interior Geological Survey – Beeville, Texas (28097-A1-TM-100)	↓		↓	
48	1983 Map – United States Department of the Interior Geological Survey – San Antonio Bay, Texas (N2800-W9600/30 x 60)	↓		↓	
49	1979 Map – United States Department of the Interior Geological Survey – Lamar, Texas (2897-114)	↓		↓	
50	1978 - United States Department of the Interior Geological Survey – Twin Mott Lake, Texas (2897-141)	↓		↓	
51	1952 - United States Department of the Interior Geological Survey – Tivoli SE, Texas (2896-231)	↓		↓	
52	1952 - United States Department of the Interior Geological Survey – Tivoli SW, Texas (2896-232)	↓		↓	
53	1952 - United States Department of the Interior Geological Survey – St. Charles Bay, Texas (2896-223)	↓		↓	
54	1939 - United States Coast and Geodetic Survey – Galveston to Rio Grande (1117)	↓		↓	
55	1979 – United States Department of Agriculture Aerial Photo – 40 48391 (178-96)	↓		↓	
56	1979 – United States Department of Agriculture Aerial Photo – 40 48391 (178-95)	↓		↓	

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
57	1969 – United States Department of Agriculture Aerial Photo – CRK-2JJ-63 (ASCS 3-68 DC Item 3)	✓		12/24/08	
58	1961 – United States Department of Agriculture Aerial Photo – CRK-7BB-32 (ASCS 3-68 DC Item 3)				
59	1961 – United States Department of Agriculture Aerial Photo – CRK-3P-68 (CSS-4-55-DC Item 3)				
60	1956 – United States Department of Agriculture Aerial Photo – CRK-3P-69 (CSS-4-55-DC Item 3)				
61	1956 – United States Department of Agriculture Aerial Photo – CRK-3P-126 (CSS-4-55-DC Item 3)				
62	WITHDRAWN				
63	WITHDRAWN				
64	Print of Google Map showing coordinates identified by Plaintiff				
65	Captain William J. Wagner, III, USCG Ret. Resume/CV				
66	Captain William J. Wagner, III, USCG Ret. Expert Report(s)				
67	Ronald B. Walker Resume/CV				
68	Terry M. Carroll, Jr. Resume/CV				
69	Fees and Statements of Walker, Keeling & Carroll, LLP				
70	Nicholas Fagan, Texas Patriot, 1958				
71	Partition Judgment Sorenson 0001-0021				
72	Partition map showing property boundaries, Sorenson 0072				
73	Declaration of Nathan Smith, November 20, 2007				
74	Declaration of Nathan Smith, July 31, 2008 with attached exhibits				
75	Declaration of David Cole, July 31, 2008				

NO.	DESCRIPTION	OFFR	OBJ	DATE ADM	DATE N/ADM
	with attached exhibit				
76	Expert Report of David E. Cole, June 30, 2008 with attached exhibits	✓		12/29/08	
77	Second Declaration of David Cole, September 10, 2008 with attached exhibits				
78	Maps, Satellite Images and Research Documents, Smith 000001 - 000029, as produced and separately those marked on by Smith during his deposition				
79	Satellite image marked as Exhibit 8 to Smith's deposition				
80	USGS Aerial Photo 2-182, December 22, 1972				
81	USDA Aerial Photo 178-96, November 14, 1979				
82	TX DOT Aerial Photo, 2-12-299, November 30, 1995				
83	TX DOT Aerial Photo, 1-11-261, December 19, 1995				
84	FOIA documents from Department of the Army Galveston District Corps of Engineers relating to SWG – 2008-00476 Action (Nathan Smith) Corpus Christi (November 20, 2008)				
85	Highway Easement records, Sorenson 000134-00139				
86	2008 Consolidated Property Tax Statement, Sorenson 000140-000161				
87	12/3/08 Expert Report of William J. Wagner III, P.E., Captain, USCG (Ret.), Sorenson 000162-163				
88	Pipeline Easement records, dated 4/18/1960, Sorenson 000164-168				
89	Pipeline Easement records, dated 6/14/1955, Sorenson 000169-172				
90	Site video made by Terry M. Carroll, Jr.	↓		↓	

NO.	DESCRIPTION	OFFR	OBJ	DATE	
				ADM	N/ADM
	on December 2, 2008				
91	Fees and Statements of Walker, Keeling & Carroll, LLP from November 13, 2008 to December 23, 2008	✓		12/29/08	
93	Demonstrative Exhibit of Marks	✓		12/30/08	